

# EXHIBIT D



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**VIA EMAIL**

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**Re: *Entropic Comm., LLC. v. Charter Comm., Inc.*, Case No. 22-cv-125-JRG (E.D. Tex.)**  
**Vantiva USA LLC's Outstanding Document Production and Deposition Dates**

Dan,

We are following up regarding the current state of Vantiva USA LLC's ("Vantiva") document production responsive to Entropic Communication, LLC's ("Entropic") Third-Party Subpoena to Produce Documents (the "Subpoena"). While we understand that on May 2, 2023 Entropic granted Vantiva an extension to provide documents on a rolling basis, we also note that Vantiva agreed to complete its document production on June 2nd. In that regard, we have received and reviewed— *what we can only presume is*—Vantiva's very *limited* first iteration of its now untimely production of documents ("June 2nd Production"); and moreover, we want to be clear that the June 2nd Production was severely deficient. As a result, Entropic would like assurance that Vantiva intends on completing its full production of documents as soon as possible, but in any event no later than June 16th.

More specifically, Vantiva's June 2nd Production consisted of only 29 documents including: 8640HDC Data Sheet, 4742HDC Data Sheet, 4640HDC/4650HDC Data Sheet, 8460HDC Data Sheet, 8640HD/8642HD/8650HD/8652HD User Guide, 4640HDC/4642HDC/4650HDC/4652HDC User Guide, 4640HDC/4642HDC, 4650HDC, 4652HDC Quick Ref. Guide, and CAV5840HDNP-US-K9 Mech. Specs. for Relevant Set Top Boxes; and TC4310 Data Sheet, DPC3216C User Guide, DPC3216 Data Sheet, TC8717 Tech. Specs., TC4400 Tech Specs., TC4310 User Guide, DCI410MCS Tech. Specs., 101T/201-T User Guide, TC8715 Tech Specs., 210-T Tech. Specs., 110-T Tech. Specs., CVA4003 PDD, CVA4001 Tech. Specs., and CVA4003 Tech. Specs. for Relevant Cable Modem Products. Additionally, Vantiva has failed to provide Product Definition Documents ("PDD") for each product supplied to Charter. Also absent are documents regarding how Vantiva generates firmware for its products based on Charter's requirements and Broadcom software. Consequently, Entropic expects that Vantiva's subsequent and final production will include all of the specified technical documents

requested for all Relevant Set Top Products and All Relevant Cable Modem Products as set out in Request Nos. 1-4 of the Subpoena no later than June 16, 2023.

Likewise, Vantiva has failed to provide Entropic with any documents responsive to Request Nos. 5-25, which include but are not limited to, requests for communications with Charter Communications, Inc. (“Charter”) and other specified third-parties, documents showing financial, pricing, and sales information, manufacturer and supplier information, market analyses, documents identifying Vantiva’s competitors and services offered, patent marking, documents showing first awareness of the Asserted Patents, etc. The documents and information requested in Request Nos. 5-25 are general documents that should be kept in the normal course of business, and Vantiva should not be burdened by providing Entropic with these categories of documents expeditiously, but under no circumstances later than June 16th.

Specifically with respect to Vantiva’s Communications with Charter—we fully expect that Vantiva will be providing all documents related to Vantiva’s 2022 communications with Meggan Ehret. If there are any privilege issues with the production of these communications, Entropic expects that a privilege log evidencing any asserted privilege issues will be immediately produced.

Finally, the Subpoena lists six (6) deposition topics. Entropic intends to depose a Vantiva representative on each listed topic within the next few weeks. Please provide us with deposition dates and the name(s) of the individual(s) Vantiva intends to produce for deposition no later than COB June 14, 2023.

While Vantiva’s status as a third-party to this litigation may not subject it to liability for patent infringement, the valid subpoena served on Vantiva does impose obligations with repercussions if full compliance is disregarded. Entropic has been entirely reasonable by granting an extension and previously accepting a rolling production of documents. Consequently, Entropic expects that Vantiva will fully comply with the Subpoena by producing all responsive documents on or before June 16, 2023, and identify individuals for deposition no later than COB June 14, 2023. If both aforementioned deadlines are not strictly adhered to, please be prepared to provide a date and time to meet and confer, as Entropic will immediately seek judicial intervention and move to compel the third-party discovery it is entitled to receive.

If you have any questions, please do not hesitate to reach out.

Thank you,

*Ketajh Brown*